



MARYLAND DEPARTMENT OF JUVENILE SERVICES

POLICY & PROCEDURE

SUBJECT: Seclusion Policy
NUMBER: RF-01-07 (Residential Facilities) (Revised)
APPLICABLE TO: Residential Facilities
EFFECTIVE DATE: February 22, 2008

Approved: "/s/signature on original copy"
Donald W. DeVore, Secretary

1. **POLICY.** The Department of Juvenile Services (DJS) shall maintain a safe, secure area to isolate or seclude youth who present an imminent threat of physical harm to themselves or other individuals, have not responded to less restrictive methods of control or for whom less restrictive measures cannot reasonably be tried, or have escaped or are attempting to escape. The duration of seclusion shall be determined by the youth's level of risk, as indicated by his or her behavior and statements.
2. **AUTHORITY.**
 - a. Annotated Code of Maryland, Human Services Article, §§ 9-202, 9-203, 9-204 and 9-227.
 - b. American Correctional Association, Standards for Juvenile Detention Facilities. 3-JDF-3E-02; 3-JDF-3E-04 and 3-JDF-4A-07.
 - c. COMAR 16.18.02.
3. **DEFINITIONS.**
 - a. *Base file* means the official file established upon a youth's entry into a residential facility that contains all written documentation received or created while the youth is in placement.
 - b. *Contraband* means any item, material, or other substance found or brought into a facility or program that is not authorized by a Facility Administrator for possession by an employee or youth.
 - c. *Seclusion* means the placement of a youth in a locked individual room where a youth is kept for a period of time during waking hours.
 - d. *Shift Commander* means the DJS employee who is responsible for supervising group life activities on an assigned shift.
4. **PROCEDURES.**
 - a. **General Procedures.**
 - (1) Employees shall incrementally exhaust the following preventive

interventions prior to placing a youth in seclusion:

- (i) Intervene immediately to prevent the behavior from escalating by making staff presence known and, as necessary, calling for assistance;
 - (ii) Provide the youth with clear direction and specific verbal commands;
 - (iii) Encourage the youth to engage in conversation by talking with or counseling the youth;
 - (iv) Recommend alternative ways to resolve or view the problem while communicating to the youth the inappropriateness of the behavior;
 - (v) Use physical re-direct technique to guide the youth in a non-aggressive, non-threatening manner away from a problematic or crisis situation; and
 - (vi) Request involvement from any member of the Interdisciplinary Treatment Team (education, behavioral health, somatic health, other resident advisors, or group life staff) or administrative staff to assist the youth through counseling to positively modify his/her behavior.
- (2) The Facility Administrator shall ensure that an area used for seclusion is designed and constructed to safeguard the health, safety, and well-being of youth.
- (3) Seclusion areas shall be inspected for cleanliness and contraband prior to the youth being placed in seclusion.
- (4) The area used for seclusion shall have:
 - (i) At least 60 square feet;
 - (ii) A tamper-proof ceiling light fixture with a minimum of a 75 watt bulb;
 - (iii) A door with a window that is impact-resistant, shatterproof, and mounted to allow inspection of the entire room;
 - (iv) Adequate ventilation;
 - (v) Equipment and fixtures that are designed and maintained in a manner to prevent their use in an attempted suicide;
 - (vi) Prompt access to toilet facilities at all times, day and night; and
 - (vii) Temperatures appropriate to summer and winter comfort zones.
- (5) Employees shall ensure that youth placed in seclusion do not possess belts, contraband, or other objects or materials that might be used to inflict self-injury.
- (6) Youth shall be provided with:
 - (i) A mattress and pillow; and

- (ii) Sheet, pillow case, and blanket.

If the youth is at risk of suicide, these items may be restricted at the discretion of Behavioral Health staff, Facility Administrator or designee to ensure the youth's safety.

- (7) Seclusion shall not be used as punishment and is limited to youth who:
 - (i) Present an imminent threat of physical harm to themselves or other individuals;
 - (ii) Have not responded to less restrictive methods of control or for whom less restrictive measures cannot reasonably be tried; or
 - (iii) Have escaped or are attempting to escape.
- (8) The length of seclusion shall not be a pre-determined time frame and shall be based on the criteria identified in section 4.a.(7) of this policy. When these conditions are no longer present, youth shall be released from seclusion.
- (9) The youth placed in seclusion shall be advised by facility supervisory staff of his/her right to file a grievance.
- (10) The Facility Administrator or designee is authorized to approve placing a youth in seclusion. Other employees are prohibited from approving seclusion without the approval of the Facility Administrator or designee. The Facility Administrator or designee shall document approval for placing a youth in seclusion by signing the ***Seclusion Observation Form*** (***Appendix 1***) upon the youth's placement in seclusion. The Facility Administrator or designee shall review and sign each **Seclusion Observation Form** at the end of each shift.
- (11) Immediately after placing a youth in seclusion, employees shall notify a nurse or physician to examine the youth. The medical examination shall be conducted as soon as possible and no later than two hours after a youth is placed in seclusion. If a nurse or physician determines a youth is in need of emergency medical attention or urgent care that is not available on-site, the Shift Commander shall be notified and shall ensure the youth is immediately transported to the nearest emergency medical or urgent care facility.
- (12) Documentation of the medical examination of a youth placed in seclusion shall be recorded on the **Seclusion Observation Form** in the section titled, "Medical Staff - Condition Check."
- (13) While a youth is in seclusion, a nurse shall observe and document the observation of the youth every two hours while on duty.

- (14) In the absence of a nurse or physician, the Shift Commander shall interview and observe the youth and determine if there is an injury. If a youth is injured, the Shift Commander shall ensure verbal notification to the Facility Nurse, Facility Administrator, and the youth's parent or legal guardian, and email and/or telephone the youth's Case Management Specialist (Community and Facility) and Area or Regional Director. If immediate medical attention is required, the youth shall be taken to the nearest emergency medical or urgent care facility. Documentation of the interview and observation shall be recorded on the **Seclusion Observation Form** in the section titled, "Medical Staff - Condition Check." Subsequent medical checks shall also be recorded in this section. The youth shall be seen by a physician or nurse during the next on-site medical visit to the facility.
- (15) When a youth is placed in seclusion, an Incident Report shall be completed in accordance with the Department's Incident Reporting Policy and the Facility Administrator or designee shall ensure that information is updated in ASSIST. If the youth remains in seclusion longer than eight hours, an updated Incident Report shall be completed.
- (16) While a youth is in seclusion, Direct Care Staff shall:
- (i) Place a **Seclusion Observation Form** on the seclusion door;
 - (ii) Maintain auditory contact with the youth to determine if seclusion is still necessary; and
 - (iii) Make visual contact with the youth at least six times per hour at staggered time intervals and record each contact at that time on the **Seclusion Observation Form**. Entries shall be recorded individually, at the staggered time intervals, and shall document the time, including a.m. or p.m., the behavior observation code, and the employee's first initial and last name. Ditto marks are prohibited as entries.
- (17) The Facility Administrator or designee shall ensure medical, behavioral health, and education services are delivered as required. The services shall be documented on the **Seclusion Observation Form**.
- (18) In facilities equipped with electronic tour guard systems, employees shall make visual contact with the youth at least six times per hour at staggered time intervals and electronically record each contact at that time according to Facility Operating Procedures (FOP) associated with the use of the electronic tour guard system. Documentation shall also be made on the **Seclusion Observation Form**.
- (19) If any employee observes "warning signs" as delineated on the **Seclusion Observation Form**, he/she shall immediately refer the youth (through telephone contact) to a Behavioral Health staff. Staff supervising youth in seclusion shall be responsible for implementing any actions or directives

identified by Behavioral Health staff to protect the youth's safety.

- (20) The Shift Commander shall meet with the youth within the first hour of seclusion to discuss the reason for the seclusion and to discuss alternatives for the behavior which led to the youth being placed in seclusion. When it is apparent that the youth shall continue in seclusion, the Shift Commander shall document the reason for continued seclusion. Documentation of these meetings shall be recorded on the **Seclusion Observation Form** in the section titled, "Shift Commander - Condition Check".
- (21) The Shift Commander shall meet with the youth every two hours thereafter to observe the youth's behavior, determine and document whether seclusion should be continued and ensure that the **Seclusion Observation Form** is being maintained and documented properly.
- (22) The Facility Administrator or designee shall approve an incident of seclusion that lasts longer than four hours by signing the **Seclusion Observation Form**.
- (23) In instances where an incident of seclusion lasts longer than eight hours, the Facility Administrator or designee shall:
 - (i) Ensure that a review is being conducted every two hours thereafter by the Shift Commander to determine the necessity for continuation of seclusion;
 - (ii) Ensure that the youth is observed by a physician or a nurse every two hours. In the absence of a nurse or physician, the Shift Commander shall interview and observe the youth and determine if there is an injury. The youth shall be seen by a nurse or physician during the next on-site medical visit to the facility;
 - (iii) Notify the Assistant Director of Investigations via electronic mail, referencing the DJS Incident Tracking Number associated with the initial report;
 - (iv) Ensure the youth's parent or legal guardian and Case Management Specialists (Community and Facility) are notified when the seclusion lasts for more than eight hours;
 - (v) Ensure that the youth:
 - (a) Receives all scheduled standard menu meals and snacks on time,
 - (b) Is granted prompt access to bathroom facilities,
 - (c) Has personal hygiene needs met (shower and clean clothes),
 - (d) Is provided hygiene products,
 - (e) Is offered one hour of large muscle activity every 24 hours that seclusion takes place. (The activity shall take place out of the room and weather permitting the activity shall take place out of doors),
 - (f) Receives educational materials and/or services in

- accordance with procedures established by the Principal/Senior on-site Education Administrator and the Facility Administrator, and
- (g) Receives any needed medical treatment and any regularly scheduled medication;
 - (vi) Meet with the youth at least once during each 12 hour period; and
 - (vii) Ensure that the youth is removed from seclusion after 48 hours, unless a written declared emergency is issued by the Facility Administrator and approved by the Assistant Secretary for Residential Services.
- (24) When a youth is released from seclusion the following shall take place:
- (i) Employees shall remove the **Seclusion Observation Form** from the youth's door and ensure a copy is provided for placement in the youth's base file. The original copy of the **Seclusion Observation Form** shall be sent to the Command Control Center or Administrative Office;
 - (ii) The Shift Commander shall complete a ***Seclusion Release Form (Appendix 2)*** for each youth removed from seclusion. The completed **Seclusion Release Form** shall be sent to the Command Control Center or Administrative Office and a copy placed in the youth's base file;
 - (iii) The Shift Commander shall notify the nurse or physician that the youth has been released from seclusion; and
 - (iv) The youth shall be referred to the facility's Interdisciplinary Treatment Team by the youth's Facility Case Management Specialist to re-evaluate the youth's Treatment Service Plan.
- (25) Employees shall receive training on the Seclusion Policy during Entry Level Training (ELT) and annual refresher training.

b. Falsification of Documents.

- (1) In accordance with the DJS Standards of Conduct and Disciplinary Process, an employee may not make any false oral or written statement or misrepresent any material fact, under any circumstance, with the intent to mislead any person or tribunal. Reports submitted by employees shall be clear, concise, factual and accurate. There is a distinction between two kinds of reports:
- (i) A false report is one that is intentionally untrue, deceptive or made with the intent to deceive the person to whom it was directed; and
 - (ii) An inaccurate report is one that is untrue by mistake or accident and made in good faith.
- (2) Missing information can be added but should not be reproduced or dated to

give the impression of having been previously documented.

- (3) Corrected and/or added documentation shall be initiated and dated for the time the correction or addition is made.
- (4) ELT and refresher training will be provided as it relates to proper documentation.

5. DIRECTIVES/POLICIES AFFECTED.

- a. Directives/Policies Rescinded - **RF-03-06 (Seclusion Policy).**
- b. Directives Referenced - **MGMT-03-07 (Incident Reporting Policy).**

6. LOCAL IMPLEMENTATING PROCEDURES REQUIRED. Yes.

7. FAILURE TO COMPLY.

Failure to comply with a Secretary's Policy and Procedure shall be grounds for disciplinary action up to and including termination of employment.

Appendices – 2

- 1. Seclusion Observation Form
- 2. Seclusion Release Form

Time	Code/Initials	Time	Code/Initials	Time	Code/Initials

Youth on Suicide Watch: ☐ Yes ☐ No

TIME:_____

Youth on Suicide Watch: ☐ Yes ☐ No

[illegible][illegible]

Time	Code/ Initial	Why Youth is Not Being Released From Seclusion (Required)

Time	Code/ Initial	Why Youth is Not Being Released From Seclusion (required)

Time	Code/Initials	Time	Code/Initials	Time	Code/Initials

Time	Code/Initials	Time	Code/Initials	Time	Code/Initials

**DEPARTMENT OF JUVENILE SERVICES
SECLUSION RELEASE FORM**

Facility Control # _____ DJS Incident Tracking # _____

Youth's Name: _____ DOB: _____ Unit: _____

Reason Youth placed on seclusion: _____

Entrance Date/ Time: _____ Exit Date/Time: _____

1.) Please state the youth's explanation for his behavior.

Comments: _____

2.) Does youth have a history of displayed behavior? If so youth should be referred to mental health.

Comments: _____

3.) Is youth able to articulate three (3) alternatives for his displayed behavior?

Comments: _____

4.) Does youth need to be placed on a behavior modification plan?

Comments: _____

5.) Does youth meet the requirements to be removed from seclusion? If not, please explain:

Date/Time Youth Released from Seclusion: _____

Shift Commander/ RGLM II: _____

Signature and Date

Case Manager/Mental Health: _____

Signature and Date

**c: Facility Administrator
Assistant Facility Administrator
Youth's Base File**



**MARYLAND DEPARTMENT OF JUVENILE SERVICES
EMPLOYEE STATEMENT OF RECEIPT
POLICY AND PROCEDURE**

SUBJECT: Seclusion Policy
POLICY NUMBER: RF-01-07
EFFECTIVE DATE: February 22, 2008

I have received one copy (electronic or paper) of the Policy and/or Procedure as titled above.
I acknowledge that I have read and understand the document, and agree to comply with it.

SIGNATURE

PRINTED NAME

DATE

(THE ORIGINAL COPY MUST BE RETURNED TO YOUR IMMEDIATE SUPERVISOR
FOR FILING WITH PERSONNEL, AS APPROPRIATE.)